

The Commonwealth of Massachusetts

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**JOURNAL OF THE HOUSE.**



MONDAY, JANUARY 12, 2004.

JOURNAL OF THE HOUSE.

Monday, January 12, 2004.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mrs. Harkins of Needham in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Prayer.

Eternal God, the Creator of this vast and complex universe and of each individual person, we, members of the one human family, are grateful for Your personal concern for us and our total well-being. We are grateful, too, for the Your intellectual gifts to us which enable us to gain exciting knowledge about our world and the people who inhabit this planet. Guide us in the struggle to live and act in accord with Your expectations and precepts and in peace and harmony with our neighbors. Inspire us to be clearly focused, to discuss objectively and to evaluate ethically current human and legislative issues in the month ahead. May we, at all times, respect the views and opinions of others, but remain faithful to our religious beliefs and practices.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

Pledge of allegiance.

At the request of the Chair (Mrs. Harkins), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag.

Messages from the Governor.

Amherst, voting precincts.

A message from His Excellency the Governor (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) relative to voting precincts in the town of Amherst (House, No. 4421) was filed in the office of the Clerk on Thursday, January 8.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Election Laws. Sent to the Senate for concurrence.

Child endangerment.

A message from His Excellency the Governor recommending legislation relative to child endangerment and protection (House, No. 4422) was filed in the office of the Clerk on Thursday, January 8.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Criminal Justice. Sent to the Senate for concurrence.

Resolutions.

Amherst, Martin Luther King, Jr. breakfast.

Resolutions (filed with the Clerk by Ms. Story of Amherst) commemorating the twentieth anniversary of the Martin Luther King, Jr. breakfast in the town of Amherst, were referred, under Rule 85, to the committee on Rules.

Mrs. Harkins of Needham, for the committee on Rules, then reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Ms. Wolf of Cambridge, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Annual Report.

The annual report of the Public Employee Retirement Administration Commission (under Sections 21, 102 and 103 of Chapter 32 of the General Laws) relative to the percentum change in the average cost-of-living as shown by the United States consumer price index for the year 2003 compared with such index for the year 2002 (House, No. 4426), was referred to the committee on Public Service. Sent to the Senate for concurrence.

Cost of living report.

Papers from the Senate.

A Bill authorizing the development of a regional education, training and skills alliance center in the city of Taunton (Senate, No. 2177, amended by striking out section 9 and inserting in place thereof the following section:

Taunton, training center

"SECTION 9. There shall be an education and training collaborative, the mission of which shall be to work in conjunction with the Taunton Development Corporation in developing the regional education, training and skills alliance center. The collaborative shall consist of 8 members, who shall include: the presidents of Bridgewater State College, University of Massachusetts at Dartmouth, Massasoit Community College and Bristol Community College, or their respective designees; the commissioner of mental retardation, or his designee; a representative of the Taunton Development Corporation; a representative of the education community to be designated by the Massachusetts Teachers Association; and a representative of labor designated by the president of the Massachusetts AFL-CIO. The powers and duties of the education and training collaborative shall include, but not be limited to, program development and administration of all employment, education, and training activities at the education, training and skills alliance center) (on Senate bill, No. 1686), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

A petition of Richard T. Moore, Paul K. Frost, Mark J. Carron and Paul Kujawski for legislation to amend the Oxford town charter to create a development and industrial commission, came from the Senate referred, under suspension of Joint Rule 7B, to the committee on Local Affairs and Regional Government.

Oxford, commission.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2188) was referred, in concurrence, to the committee on Local Affairs and Regional Government.

Reports of Committees.

By Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that

Billerica, ambulance paramedics.

Joint Rule 12 be suspended on the petition of William G. Greene, Jr., and Robert A. Havern (by vote of the town) for legislation to place ambulance paramedics in the town of Billerica in Group 4 of the public employees retirement law. Under suspension of the rules, on motion of Ms. Wolf of Cambridge, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Tax classification. By Mr. Casey of Winchester, for the committee on Taxation, on House, No. 1979, a Bill relative to property tax classification in cities and towns (House, No. 4430). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the following matters be scheduled for consideration by the House:

Senate bills

Homestead. Relative to the estate of homestead (Senate, No. 995);  
Nantucket. Authorizing the Nantucket Islands Land Bank to grant a conservation restriction to the Nantucket Conservation Commission (Senate, No. 1167);

Haverhill, harbor line. Further regulating certain structures to be exempted from certain harbor lines in the Merrimack River in the city of Haverhill (Senate, No. 1188);

Wildlife. Requiring certain reports to the Division of Fisheries and Wildlife (Senate, No. 1207);

Disabled. Relative to parking for disabled persons (Senate, No. 1301);  
Bedford, land. Authorizing the town of Bedford to lease a certain parcel of land (Senate, No. 1979) [Local Approval Received];

Hadley, etc., byway. Relative to the designation of a scenic byway in the towns of Hadley and South Hadley (Senate, No. 2012) [Local Approval Received];

Orleans, housing. Authorizing the town of Orleans to issue bonds to create or preserve affordable housing (Senate, No. 2021) [Local Approval Received];

Sturbridge. Relative to a betterment assessment in the town of Sturbridge (Senate, No. 2030) [Local Approval Received];

Bridgewater. Relative to the police department in the town of Bridgewater (Senate, No. 2071) [Local Approval Received]; and

East Longmeadow. Exempting the position of chief of police in the town of East Longmeadow from the civil service law (Senate, No. 2163) [Local Approval Received]; and

House bills

Voters, notices. Authorizing cities, towns and regional districts to send certain information to registered voters (printed as Senate, No. 349);

Lodging houses. Relative to cooking facilities in lodging houses (House, No. 815);  
Martha's Vineyard. Authorizing Martha's Vineyard affordable housing covenants (House, No. 1510);

Insurance. Relative to small group insurance (House, No. 1699);  
Pittsfield. Relative to the position of seasonal employees in the city of Pittsfield (House, No. 3828) [Local Approval Received];

North Andover. Authorizing the town of North Andover to discontinue a certain public way (House, No. 3911) [Local Approval Received];

Authorizing the town of Harvard to convey certain park land (House, No. 3999) [Local Approval Received];

Authorizing the town of Bellingham to establish a sewer construction capital fund (House, No. 4014) [Local Approval Received];

Authorizing the town of Bellingham to establish certain revolving funds (House, No. 4015) [Local Approval Received];

Authorizing the town of Natick to enter an agreement with the town of Wellesley (House, No. 4043) [Local Approval Received];

Relative to the membership of the conservation commission of the town of Bourne (House, No. 4057) [Local Approval Received];

Authorizing the town of Raynham to establish an account to be known as the betterment reserve fund (House, No. 4075) [Local Approval Received];

Relative to the certain health premiums payments made by the town of Mashpee (House, No. 4085) [Local Approval Received];

Relative to the charter of the city of Gloucester (House, No. 4092) [Local Approval Received];

Authorizing the town of Bellingham to establish a compensated absence fund (House, No. 4102) [Local Approval Received];

Relative to requiring pilots for certain vessels (House, No. 4104);

Authorizing the town of Fairhaven to issue an additional license for the sale of alcoholic licenses to HP Cooking, Inc. (House, No. 4148) [Local Approval Received];

Eliminating the beautification fund of the town of Braintree (House, No. 4149) [Local Approval Received];

Authorizing the town of Wareham to construct a sewer in certain park land (House, No. 4150) [Local Approval Received];

Relative to public charities (House, No. 4234);

Placing the members of the fire department of the town of Acushnet under the civil service law (House, No. 4282) [Local Approval Received]; and

Authorizing the town of Salisbury to make an appeal to the Appellate Tax Board (House, No. 4296) [Local Approval Received];

Severally placed in the Orders of the Day for the next sitting for a second reading.

Mr. Rogers of Norwood, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 4342) returning with his disapproval of certain sections contained in the engrossed Bill relative to fiscal relief funds (see House, No. 4302), reported, in part, that section 4 stand (as passed by the General Court) as follows:

"SECTION 4. Subsection (a) of section 616 of said chapter 26 is hereby amended by striking out clause (v) and inserting in place thereof the following clause:--

(v) shall have received his pay advices via the commonwealth's human resources compensation management system or the University of Massachusetts's human resource management information system or paid by the Nashoba Associated Boards of Health or whose regular compensation is funded from federal, trust or capital accounts, pursuant to chapter 29 of the General Laws."

Harvard,  
land.

Bellingham,  
sewer fund.

Bellingham,  
funds.

Natick and  
Wellesley.

Bourne.

Raynham,  
betterments.

Mashpee.

Gloucester.

Bellingham.

Pilots, vessels.

Fairhaven,  
HP Cooking  
Inc.

Braintree.

Wareham,  
land.

Charities.

Acushnet.

Salisbury.

Fiscal relief,  
Nashoba  
Valley  
Board of  
Health.

Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kujawski of Webster, for said committee, reported that said matter be scheduled for consideration by the House; and under said rule, it was placed in the Orders of the Day for the next sitting, the question being on passing said section, notwithstanding said objections of the Governor.

Supplemental  
appropriations,  
reductions  
and  
disapprovals.

Mr. Rogers of Norwood, for the same committee, on a message from His Excellency the Governor (for message, see House, No. 4365), returning with his disapproval of certain items and sections and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2004 to provide for supplementing certain existing appropriations and for certain other activities and projects (see House, No. 4330), reported, in part, in each instance, that the following items (contained in sections 2 and 2A) and sections stand (as passed by the General Court):

Items contained in section 2:

“0330-0300 ..... \$10,603,296”  
[The Governor had reduced said item to 4,700,000.];

“4513-1000 ..... \$2,000,000”  
[The Governor had reduced said item to 1,500,000.];

“4800-0038 ..... \$500,000”  
[The Governor had vetoed said item.];

“4800-1400 ..... \$60,000”  
[The Governor had vetoed said item.];

“7100-0200 ..... \$10,000,000”  
[The Governor had vetoed said item.]; and

“9700-0000 ..... \$8,686,000”  
[The Governor had reduced said item to 1,800,000.]; and the following sections:

“SECTION 69. Item 2000-2017 in section 2 of chapter 236 of the acts of 2002 is hereby amended by inserting after the word ‘Bernardston’ the following words:— ; provided further, that not less than \$175,000 shall be expended for a grant to the town of Braintree for a lake bottom drawdown on Sunset lake in the town and for a resanding of the C. Murray Smith Beach in the town.”

[The Governor had vetoed said section.]

“SECTION 70. Item 2200-2015 of said section 2 of said chapter 236 is hereby amended by adding the following words:— ; and provided further, that not less than \$7,400,000 shall be expended to ensure that all needed environmental remediation and related work is performed and that all contamination is eliminated from the property located in the town of Norfolk as identified in chapter 519 of the acts of 1980 and formerly known as the Department of Public Health Hospital, Pondville Hospital, pursuant to section 679 of chapter 26 of the acts of 2003.”

[The Governor had vetoed said section.]

“SECTION 80. Item 1108-5200 of said section 2 of said chapter 26 is hereby amended by striking out the words ‘July 1, 2002’ and inserting in place thereof the following words:— July 1, 2003.”

[The Governor had vetoed said section.]

“SECTION 81. Said item 1108-5200 of section 2 of chapter 26 of the acts of 2003 is hereby amended by inserting after the words ‘such premiums and rates;’ in line 55, the following words:— provided further, notwithstanding the provisions of this item or any general or special law to the contrary, the authority’s share of such premiums for employees of the Massachusetts Bay Transportation Authority, for any bargaining unit working without a contract, shall remain in force and effect until the effective date of any subsequent agreement.”

[The Governor had vetoed said section.]

“SECTION 85. Item 4000-0600 of said section 2 of said chapter 26 is hereby amended by adding the following words:— and provided further, that notwithstanding any general or special law to the contrary, for any nursing home that provides kosher food to its residents, the division of medical assistance, in consultation with the division of health care finance and policy, is directed to approve a special innovative program, and the division of health care finance and policy, in recognition of the unique special innovative program status granted by the division of medical assistance, shall, for any nursing home that provides kosher food to its residents, establish up to a \$5 per day increase to the standard payment rates to reflect the high dietary costs incurred in providing kosher food.”

[The Governor had vetoed said section.]

“SECTION 88. Said item 4512-0200 of said section 2 of said chapter 26 is hereby further amended by inserting after the words ‘Casa Dominicana’ the following words:— ; provided further, that not less than \$320,000 shall be expended for a contract with the Gavin Foundation to provide a total immersion program in conjunction with the probation department of the South Boston division of the district court department of the trial court and other district courts; provided further, that \$99,000 shall be expended for Self Esteem Boston;”

[The Governor had vetoed said section.]

“SECTION 89. Item 4800-0038 of said section 2 of said chapter 26 is hereby amended by adding the following words:— ; provided further, that not less than \$200,000 shall be provided to support the family center component of the Greater Lowell Family Resource Center; and provided further that, not less than \$300,000 shall be provided to Summerhill House in Norwood.”

[The Governor had vetoed said section.]

“SECTION 91. Item 4800-1400 of said section 2 of said chapter 26 is hereby amended by adding the following words:— ; provided further, that not less than \$50,000 shall be expended for the On The Rise shelter for homeless women in the city of Cambridge; and provided further, that not less than \$10,000 shall be expended for the Melrose Alliance Against Violence.”

[The Governor had vetoed said section.]

“SECTION 121. Notwithstanding any general or special law to the contrary, the department of environmental protection shall continue to

locate and operate regional offices in Lakeville, Worcester and Springfield. The division of capital asset management and maintenance shall take all steps necessary and appropriate to enforce this section.”.

[The Governor had vetoed said section.]

Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kujawski of Webster, for said committee, reported, in each instance, that the matter be scheduled for consideration by the House, the question being on whether said items and sections stand as passed by the General Court.

Mr. Rogers of Norwood, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 4366) returning with his disapproval of certain sections and reductions in certain sections contained in the engrossed Bill relative to investments in emerging technologies to promote job creation, economic stability and competitiveness in the Massachusetts economy (see House, No. 4328), reported, in part, in each instance, that the following sections stand (as passed by the General Court):

“SECTION 3. Chapter 23A of the General Laws is hereby amended by striking out section 3H, as so appearing, and inserting in place thereof the following section:—

Section 3H. The secretary of economic development shall appoint the director of the Massachusetts permit regulatory office, who shall have experience with permitting and business development and who shall serve as the ombudsman to new and expanding businesses to provide one-stop licensing for businesses, and development in order to streamline and expedite the process of obtaining state licenses, permits, state certificates, state approvals, state registrations, state charters and other requirements of law. The ombudsman shall communicate with municipal officials responsible for local review procedures to determine the municipal perspective on the proposed project, and to facilitate communication between the municipality and state agencies. The Massachusetts permit regulatory office shall consult with each regional office of the Massachusetts Office of Business Development, in order to better serve local businesses. Each executive office and each of the departments of environmental protection, business and technology, housing and community development, labor, workforce development and consumer affairs and business regulation shall appoint a senior staff member who shall be responsible for coordinating the efforts of the commonwealth to provide one-stop licensing at the state level for businesses and developments in order to streamline and expedite the process of obtaining state licenses, state permits, state certificates, state approvals, state registrations, state charters and other requirements of law. The senior staff members shall meet at least once a month with the ombudsman and shall meet with each other on a regular basis. The secretary of administration and finance shall work with the secretary of economic development, the ombudsman and senior staff members to develop a recommended format for an application form and procedure which shall be used by all executive offices when possible. The ombudsman shall file an annual report with the house and senate committees

on ways and means by January 1 of each year on the activities of the Massachusetts permit regulatory office, including legislative recommendations on business development and expansion efforts.”.

[The Governor had vetoed said section.]

“SECTION 60. (a) The Massachusetts International Trade Council shall establish the Massachusetts International Tourism Fund, which shall be the fund in which private and in-kind international travel, and tourism donations shall be accepted and recorded. The fund shall be administered by the Massachusetts International Trade Council with monthly lists of deposits, expenses and in-kind services submitted to the house and senate committees on ways and means, the house and senate clerk, the office of the state auditor, and the executive office of administration and finance by the third Wednesday in January.

(b) The Massachusetts International Trade Council, in consultation with the advisory board established by this section, shall award a contract to a non-profit organization to provide international marketing and tourism promotion services on behalf of the commonwealth. The non-profit organization shall be selected through a competitive procurement process, which process shall include without limitation a written request for proposals. Expenditures for the contract shall not exceed \$2,000,000 and shall be funded from the Economic Stimulus Trust Fund established herein. The non-profit organization shall match the amount of the contract with a binding pledge of funds or in-kind contributions equal to the amount of the contract award from nongovernmental sources to be expended for the purposes established in this section.

(c) Any in-kind contributions pledged by a nonprofit organization under this section shall be considered to have the value determined by the Massachusetts international trade council. The non-profit organization shall not expend more than 20 per cent of the contract funds for the cost of administrative services. The organization shall, as a condition of receiving the grant, submit, by every third Wednesday in January for the duration of the contract, a total operating budget which shall identify each source and use of operating funds, and an operating plan which shall demonstrate how the grant promotes tourism. The office shall reserve the right to withhold the grants if the conditions outlined in this section are not met. Not more than 2 per cent of the amount shall be expended by the Massachusetts international trade council for administrative costs incurred by the council in connection with the administration of the contract.

(d) The International Trade Council shall establish an advisory board to advise it on the scope of services to be provided under the contract with the non-profit organization and to provide ongoing guidance assistance to the International Trade Council regarding the management and oversight of the contract; provided, however, that the advisory board shall consist of not more than 17 members, as follows: the president of the senate or his designee; the speaker of the house or his designee; the chairman of the senate committee on ways and means or his designee; the chairman of the house committee on ways and means or his designee; 1 member to be appointed

Economic  
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by the minority leader of the senate; 1 member to be appointed by the minority leader of the house; provided, however, that those members shall be broadly representative of the tourism industries in the commonwealth; 1 member to be appointed by the Massachusetts office of travel and tourism; 1 member to be appointed by the Greater Boston Convention and Visitors Bureau; 1 member to be appointed by the Greater Springfield Convention and Visitors Bureau; 1 member to be appointed by the Massachusetts Restaurant Association; 2 members to be appointed by the Berkshire Visitors Bureau, 1 of whom shall be from a Berkshire area hotel; 2 members to be appointed by the Cape Cod Chamber of Commerce, 1 of whom shall be from a Cape Cod area hotel; 1 member to be appointed by the Bristol County Convention and Visitors Bureau; 1 member to be appointed by the Massachusetts Cultural Council; and 1 member to be appointed by the Massachusetts Lodging Association; provided further, that the members of the advisory board shall serve without compensation and at the pleasure of their appointing authorities; provided further that the advisory board shall seek additional funding from private funding sources; and provided further, that notwithstanding any general or special law to the contrary, advisory board members shall not be deemed state employees for the purposes of chapter 268A of the General Laws as a result of their service on the advisory board.”

“SECTION 62. Notwithstanding any general or special law to the contrary, (a) there shall be a council of economic advisors, in this section called the “council”, to develop long-term policies to support economic development in the commonwealth. The council shall serve as an advisor to the governor and the general court and shall be administered by the secretary of economic affairs. The council shall consist of equal numbers appointed by the governor, the senate president and the speaker of the house. Members shall include, but not be limited to, representatives from relevant industry sectors, institutions of higher learning, labor organizations, nonprofit organizations, financial institutions, and relevant quasi-public organizations.

(b) At a minimum, the council shall conduct studies and make recommendations relating to policy development in the following areas: e-government and e-commerce, emerging technologies and the labor market for scientists, engineers and science and math educators in the commonwealth. The council shall make recommendations as to how the commonwealth may encourage companies to conduct business within the commonwealth, and shall place an emphasis on promoting greater minority and women involvement in emerging technology sectors.

(c) The council shall establish the following task force and others that it deems to be needed from time to time: a task force on science, math, engineering and technology education to investigate, study and make legislative recommendations on maintaining a specialized workforce to support and expand the science, math, engineering and technology sectors in the commonwealth, preparing students for the demands of a knowledge-based economy of the future and attracting and retaining students entering science, math, engineering and technology fields of study. The task force shall also investigate the

public college and university system, including community colleges, to establish job training programs specifically geared toward creating manufacturing, science, math, engineering and technology employment opportunities and to identify and establish career ladders within science, math, engineering and technology employment opportunities. The task force shall also investigate the impact of changing demographics on the state and make recommendations on ways to incorporate such changes in order to enhance the state’s capacity to build a strong and competitive workforce. The task force shall include the following members, among others: the commissioner of the department of education or his designee; the director of workforce development, or his designee; a labor economist; a CEO of a life-science firm; a CEO of a technology firm; a CEO of a health care corporation; a representative of a woman-led firm and minority-led firm; the chair of the board of higher education, or his designee; a chancellor of a state university or college; a president of a state college; a president of a community college; a superintendent of a Massachusetts public school system; the executive director of the Massachusetts Technology Collaborative; the executive director of the Massachusetts Development Finance Agency; the President of Associated Industries of Massachusetts; the President of the Massachusetts Federation of Teachers; 3 members of the senate to be appointed by the senate president, 1 of whom shall serve as co-chair and 1 of whom shall be a member of the minority party; and three members of the house of representatives to be appointed by the speaker of the house, 1 of whom shall serve as co-chair and 1 of whom shall be a member of the minority party. The taskforce shall conduct hearings and file a report on the results of its study, along with recommendations and any legislation necessary to carry out its recommendations with the clerks of the house of representatives and the senate, not later than June 1, 2004. The taskforce shall be administered by the Massachusetts Technology Park Corporation, established pursuant to chapter 40J of the General Laws.”

[The Governor had vetoed said section.]

“SECTION 64. Notwithstanding any general or special law to the contrary, 10 days after the effective date of this act, the comptroller shall transfer \$2,400,000 from the Economic Stimulus Trust Fund to the Massachusetts Technology Transfer Center at the University of Massachusetts established in section 45 of chapter 75 of the General Laws. Of that amount not less than \$500,000 shall be made available as a one-time grant to the center for economic analysis and assessment within the McCormack Graduate School of Policy Studies’ Center for State and Local Policy.”

[The Governor reduced the section by striking out the text contained therein and inserting in place thereof the following:

“Notwithstanding any general or special law to the contrary, 10 days after the effective date of this act, the comptroller shall transfer \$1,200,000 from the Economic Stimulus Trust Fund to the Massachusetts Technology Transfer Center at the University of Massachusetts established in section 45 of chapter 75 of the General Laws. Of that amount not less than \$500,000 shall be made available as a one-time grant to the center for economic analysis and assessment within

Economic  
stimulus  
bill,  
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and  
disapprovals.

the McCormack Graduate School of Policy Studies' Center for State and Local Policy.”]

“SECTION 70. Notwithstanding any general or special law to the contrary, the comptroller shall transfer, effective December 31, 2003, to the Massachusetts Technology Park Corporation established pursuant to section 3 of chapter 40J of the General Laws, the amount of \$15,000,000 from the Economic Stimulus Trust Fund, established pursuant to this act, for the creation and operation of the John Adams Innovation Institute under said Massachusetts Technology Park Corporation, established pursuant to section 6A of chapter 40J. Said amount shall be deposited in a separate fund, administered by said corporation, which shall be expended exclusively for the uses established in said section 6A. Commencing on April 1, 2004, the executive director of said corporation shall report quarterly to the house and senate committees on ways and means, the house and senate committees on science and technology, and the joint committee on commerce and labor on the following: (i) a detailed description of purposes and amounts of administrative costs charged to the fund, (ii) the annual budget of the John Adams Innovation Enterprise, (iii) a quarterly statement of cash inflows and outflows detailing the sources and uses of funds, (iv) a description of the organizations receiving funds from this fund, the purposes to which the funding will be used by said organizations, (v) the associated amounts received by each organization, (vi) the amounts of non-state funding leveraged as a result of the funding, a potential projection of the number and nature of employment opportunities that may be created in the commonwealth as a result of the various forms of assistance disbursed from said fund, and (vii) an analysis of the purposes and geographical location of projects funded through the John Adams Innovation Enterprise.”.

[The Governor reduced the section by striking out the first sentence and inserting in place thereof the following sentence: “Notwithstanding any general or special law to the contrary, the comptroller shall transfer, effective December 31, 2003, to the Massachusetts Technology Park Corporation established pursuant to section 3 of chapter 40J of the General Laws, the amount of \$7,500,000 from the Economic Stimulus Trust Fund, established pursuant to this act, for the creation and operation of the John Adams Innovation Institute under said Massachusetts Technology Park Corporation, established pursuant to section 6A of chapter 40J.”]

“SECTION 71. Notwithstanding any general or special law to the contrary, the comptroller shall transfer, effective December 31, 2003, the amount of \$25,000,000 from the from the Economic Stimulus Trust Fund, established pursuant this act, to the Emerging Technology Fund, established pursuant to section 27 of chapter 23G of the General Laws. Commencing on April 1, 2004, the executive director of the Massachusetts Development Finance Agency, established pursuant to section 2 of said chapter 23G, shall file a report on a quarterly basis with the house and senate committees on ways and means, the house and senate committees on science and technology and the joint committee on commerce and labor on the following: the number and amounts of qualified investments made

to further the goals of the fund, the number of loans and guarantees approved by said agency from said fund for facilities or specialized equipment for technology-based companies, a description of any financial and technical assistance that has been provided to such technology based companies as a result of the utilization of revenues within said fund, administrative costs charged to the fund, return on investment in qualified investments, return on investments in funds not required for immediate disbursement, a forecast of future payments based on current binding obligations, and an analysis of the purposes and geographical location of qualified investments; provided, that not less than \$250,000 shall be transferred to the Small Business Association of New England for the layoff aversion through management assistance program for consultant and technical assistance to manufacturing companies in Massachusetts to prevent business closure and employee displacement. Any such expenditure of the layoff aversion through management program as provided for in accordance with this section shall leverage at least \$1 for each dollar granted pursuant to this section. Commencing on January 1, 2004, the president of the small business association of new england shall file a report on a quarterly basis with the house and senate committees on ways and means, the house and senate committees on science and technology, and the joint committee on commerce and labor on the number of employees and manufacturing based companies that have received financial assistance through this section, a detailed description of the services provided to manufacturing companies in Massachusetts through the layoff aversion through management program, and a detailed account of the expenditures of the layoff aversion program, including administrative costs.”.

[The Governor reduced the section by striking out the first sentence and inserting in place thereof the following sentence: “Notwithstanding any general or special law to the contrary, the comptroller shall transfer, effective December 31, 2003, the amount of \$12,500,000 from the from the Economic Stimulus Trust Fund, established pursuant this act, to the Emerging Technology Fund, established pursuant to section 27 of chapter 23G of the General Laws.”; and by striking out the following: “; provided, that not less than \$250,000 shall be transferred to the Small Business Association of New England for the layoff aversion through management assistance program for consultant and technical assistance to manufacturing companies in Massachusetts to prevent business closure and employee displacement.”]

“SECTION 72. Notwithstanding any general or special law to the contrary, the comptroller shall transfer, effective December 31, 2003, to the Massachusetts Technology Development Corporation, established pursuant to section 3 of chapter 40G of the General Laws, the amount of \$5,000,000 from the Economic Stimulus Trust Fund, established pursuant to this act. Commencing on April 1, 2004, the board of directors of the Massachusetts Technology Development Corporation shall submit a quarterly report to the house and senate committees on ways and means, the house and senate committees on science and technology, and the joint committee on commerce and labor on the number and nature of early stage technology companies, both startup and expansion, operating in the commonwealth

that said corporation has invested in as a result of funds transferred to said corporation pursuant to this section, the number and nature of jobs created in Massachusetts as a result of investments made by said corporation from funds transferred to said corporation pursuant to this section, the amount of private investments leveraged for said companies as a result of investments made by said corporation, the internal rate of return on the entire portfolio of investments made by said corporation from funds transferred pursuant to this section, the cumulative realized gains on equity investments made by said corporation since the transfer of funds authorized by this section and the cumulative realized losses on both debt and equity investments made by said corporation since the transfer of funds authorized by this section.”.

[The Governor had vetoed said section.]

Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kujawski of Webster, for said committee, reported, in each instance, that the matter be scheduled for consideration by the House, the question being on whether said sections stand as passed by the General Court.

Brookline,  
students.

By Ms. St. Fleur of Boston, for the committee on Education, Arts and Humanities, ought NOT to pass, on the petition (accompanied by bill, House, No. 3991) of Frank I. Smizik (by vote of the town) relative to allowing non-resident students to attend public school in the town of Brookline.

Federal  
police,  
powers.

By Mr. Toomey of Cambridge, for the committee on Public Safety, ought NOT to pass, on the petition (accompanied by bill, House, No. 1170) of James H. Fagan for legislation to authorize certain federal personnel to exercise police powers in the Commonwealth.

Classrooms,  
egress.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2119) of Christopher G. Fallon for legislation to provide that all classrooms have two direct means of egress to hallways.

Unsafe  
buildings.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 2278) of Edward G. Connolly, Scott P. Brown and Bruce E. Tarr relative to the installation of motion detectors in buildings deemed to be unsafe.

Prescription  
advantage  
plate.

By the same member, for the same committee, ought NOT to pass, on the petition (accompanied by bill, House, No. 3683) of Daniel E. Bosley and Andrea F. Nuciforo, Jr. that the Registrar of Motor Vehicles be authorized to issue a prescription advantage program registration plate.

Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kujawski of Webster, for said committee, reported that the matters be scheduled for consideration by the House; and, under said rule, they were placed in the Orders of the Day for the next sitting, the question, in each instance, being on acceptance.

### *Engrossed Bills.*

#### Engrossed bills

Relative to Ponders Hollow Road in the city of Westfield (see Senate, No. 1157) (which originated in the Senate); Bills enacted.

Relative to the municipal light board of the town of Marblehead (see House, No. 4107, changed); and

Authorizing the town of Westwood to grant licenses for the sale of all alcoholic beverages and wines and malt beverages to be drunk on the premises (see House, No. 4361);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

### *Order.*

On motion of Mr. Finneran of Boston,—

*Ordered*, That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M. Next sitting.

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At thirteen minutes after eleven o'clock A.M., on motion of Mr. Rushing of Boston (Mrs. Harkins of Needham being in the Chair), the House adjourned, to meet tomorrow at eleven o'clock A.M.